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October 16, 2019

VIA ECF

The Honorable Pamela K. Chen
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Robert Kaiserman v. Old Field Club, et. al.*
Case No.: 19-cv-03884

Dear Judge Chen:

We represent Plaintiff in the above-captioned matter. We write pursuant to Your Honor's Order dated October 9, 2019 requiring us to respond to Defendant's pre-motion letter (Docket # 8), seeking to move to dismiss Plaintiff's Complaint.

Plaintiff filed earlier today an Amended Complaint pursuant to FRCP § 15(a)(1)(B) that we believe moots the entirety of Defendants' anticipated motion. Specifically, Plaintiff (A) added Paragraphs 8-11 discussing additional facts supporting Mr. Brennan's individual liability as to the wage and hour claims, (B) added Paragraph 22 specifying actual overtime hours worked by Plaintiff, and (C) removed all the discrimination claims.

In light of the above, there does not appear to be a basis for a motion to dismiss, and we respectfully request that Defendants be required to answer the Amended complaint by November 18, 2019.

Respectfully submitted,

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